

Our country anxiously watched the Supreme Court uphold Obamacare's individual mandate and strike down a part of the law's Medicaid expansion. I stood on the steps of the Supreme Court as supporters of Obamacare claimed victory, yet the primary argument I made along with other Obamacare opponents won the day — that the individual mandate, as written, exceeded even today's expansive interpretations of Congress' power under the commerce clause. The argument to the contrary, made by the Obama administration, was resoundingly rejected by the court.

The Supreme Court shocked the legal world when it ruled that the individual mandate was constitutional, not under Congress' power to regulate interstate commerce, but under Congress' taxing power.

In doing so, the Supreme Court became the first federal court to determine that the individual mandate could be classified as a "tax" for constitutional purposes. All of the previous courts that looked at this case determined that it was a mandate with a penalty for failure to comply. The law itself refers to the provision as a "mandate" with a "penalty" no less than 18 times. It never refers to the penalty as a "tax."

The court did, however, invalidate the part of the Obamacare's Medicaid expansion that would have taken away current Medicaid funding (a figurative "gun to the head," in the words of the court) from states that did not follow Obamacare's order to dramatically increase their Medicaid programs.

This represents the first major decision since the New Deal in which the court has placed limits on Congress' spending power, and it will benefit states that would otherwise have been forced to drastically expand their Medicaid programs.

This expansion would cost states billions and would further crowd out other important state priorities, such as education, transportation and public safety, all in the name of throwing millions into a failing, unsustainable Medicaid system.

What positives can advocates of limited, constitutional government draw from the decision? The

court affirmed that Congress does not have the power to compel someone to participate in commerce under the commerce clause. As the court said, "Everyone will likely participate in the markets for food, clothing, transportation, shelter, or energy; that does not authorize Congress ... to regulate an individual from cradle to grave, simply because he will predictably engage in particular transactions."

This argument, which had been dismissed as frivolous by Obamacare supporters, succeeded at the Supreme Court and now is part of binding case law.

On the downside, the court's decision threatens to dramatically expand Congress' taxing power. In the past, the court has been very cautious in how it defines "taxes" as opposed to how it defines "penalties," because each definition has significant implications with regard to government authority.

By blurring the lines between a tax and a penalty, the court might have opened up a bigger can of worms than it closed by capping the regulatory power under the commerce clause. If Congress can command that you buy health insurance and declare the penalty a "tax," can it compel you to do anything it wants and tax you if you don't?

Ultimately, it might take time for the long-term implications of the Supreme Court's decision to play out. In the meantime, Obamacare remains a threat to our country's health care system. Obamacare will continue to drive up the costs of health insurance, put seniors' health care in jeopardy and reduce access to quality, affordable care.

The Supreme Court did, undeniably, get one thing right in its decision: The court emphasized that its decision "does not express any opinion on the wisdom of the Affordable Care Act. Under the Constitution, that judgment is reserved to the people."

Today, the House of Representatives will again show our resolve to repeal Obamacare. If it was not already clear which members of Congress were representing their voice and standing by their side in opposition to Obamacare, it will be clear after today.

If the Senate and president once again ignore the American people and come to the defense of Obamacare, the people will have to determine the final fate of Obamacare at the ballot box in November.